

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Rosenfield & Company, PLLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Jason A. Zimmerman, Esq.

GrayRobinson, P.A.

301 East Pine Street, Suite 1400

Orlando, Florida 32802

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

This is an action for breach of contract, or alternatively, unjust enrichment or quantum meruit. This Court has jurisdiction pursuant to 28 U.S.C.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

CONTRACT		PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
[] 110	INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS		
[] 120	MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM		
[] 130	MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE		
[] 140	NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT		
[] 150	RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	PROPERTY RIGHTS		[] 410 ANTITRUST		
[] 151	MEDICARE ACT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT	[] 430 BANKS & BANKING		
[] 152	RECOVERY OF DEFECTUALTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[] 450 COMMERCE		
[] 153	RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK	SOCIAL SECURITY			
[] 160	STOCKHOLDERS SUITS	[] 355 MOTOR VEHICLE	PRODUCT LIABILITY	LABOR				
[x] 190	OTHER CONTRACT	PRODUCT LIABILITY	[] 360 OTHER PERSONAL INJURY	[] 710 FAIR LABOR STANDARDS ACT	[] 861 HIA (1395ff)	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)		
[] 195	CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES		[] 720 LABOR/MGMT RELATIONS	[] 862 BLACK LUNG (923)	[] 480 CONSUMER CREDIT		
[] 196	FRANCHISE	CIVIL RIGHTS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 740 RAILWAY LABOR ACT	[] 863 DIWC/DIWV (405(g))	[] 485 TELEPHONE CONSUMER PROTECTION ACT		
REAL PROPERTY		[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 864 SSID TITLE XVI	[] 490 CABLE/SATELLITE TV		
[] 210	LAND CONDEMNATION	[] 441 VOTING	PROPERTY DAMAGE	[] 790 OTHER LABOR LITIGATION	[] 865 RSI (405(g))	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE		
[] 220	FORECLOSURE	[] 442 EMPLOYMENT	PRODUCT LIABILITY	[] 791 EMPL RET INC SECURITY ACT (ERISA)	FEDERAL TAX SUITS			
[] 230	RENT LEASE & EJECTMENT	[] 443 HOUSING/ ACCOMMODATIONS	PRISONER CIVIL RIGHTS	28 USC 2255	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 890 OTHER STATUTORY ACTIONS		
[] 240	TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 740 RAILWAY LABOR ACT	[] 871 IRS-THIRD PARTY	[] 891 AGRICULTURAL ACTS		
[] 245	TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 555 PRISON CONDITION	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	26 USC 7609	[] 893 ENVIRONMENTAL MATTERS		
[] 290	ALL OTHER REAL PROPERTY	[] 448 EDUCATION	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	[] 462 NATURALIZATION APPLICATION	IMMIGRATION			
[] 450 CIVIL DETAINEE CONDITIONS OF CONFINEMENT								
[] 465 OTHER IMMIGRATION ACTIONS								
[] 490 CONSTITUTIONALITY OF STATE STATUTES								

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ 92,679.68 OTHER JUDGE DOCKET NUMBER

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)			
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN *x* IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Rosenfield & Company, PLLC- 201 E. Pine Street, Suite 730, Orlando, Florida 32801 (Orange County, FL)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Trachtenberg, Rodes & Friedberg LLP- 420 Lexington Ave., Suite 2800, New York, New York 10170 (New York County)

Star Auto Sales of Bayside, Inc.- 205-11 Northern Blvd., Bayside, New York 11361 (Queens County)

Star Auto Sales of Queens, LLC- 205-11 Northern Blvd., Bayside, New York 11361 (Queens County)

Star Hyundai LLC- 206-26 Northern Blvd., Bayside, New York 11361 (Queens County)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE	SIGNATURE OF ATTORNEY OF RECORD	ADMITTED TO PRACTICE IN THIS DISTRICT [] NO [x] YES (DATE ADMITTED Mo. <u>January</u> Yr. <u>2011</u>) Attorney Bar Code # 4910337
RECEIPT #		

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)